

REMARKS

Summary of the Office Action

Claims 1, 28 and 55 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* (U.S. Patent Pub. No. 2002/0052806) in view of *Wiecha* (U.S. Patent No. 5,870,717).

Claims 2-13 and 29-40 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* and *Wiecha*, as applies to claims 1 and 28, and further in view of *Fischer* (U.S. Patent Pub. No. 2002/0010638).

Claims 20-27 and 47-54 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* and *Wiecha*, as applied to claims 1 and 28, and further in view of *Lucas* (U.S. Patent Pub. No. 2001/0051905).

Claims 14-15, 19, 41-42 and 46 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.*, *Wiecha* and *Fischer* (as applied to claims 12 and 40), and further in view of *Lucas*.

Claims 16-18 and 43-45 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.*, *Wiecha*, *Fischer* and *Lucas* as applied to claims 15 and 42, and further in view of *Wong* (U.S. Patent No. 6,115,690).

Summary of the Response to the Office Action

Applicant respectfully submits that the rejections of claims 1-55 under 35 U.S.C. § 103(a) are improper, and therefore should be withdrawn. Moreover, Applicant has amended claim 55 to improve its form and added a new claim 56 to further define the invention. Accordingly, claims 1-56 are pending in this application for further consideration.

All Claims Define Allowable Subject Matter

Claims 1, 28 and 55 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* in view of *Wiecha*. Claims 2-13 and 29-40 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* and *Wiecha*, as applies to claims 1 and 28, and further in view of *Fischer*. Claims 20-27 and 47-54 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.* and *Wiecha*, as applied to claims 1 and 28, and further in view of *Lucas*. Claims 14-15, 19, 41-42 and 46 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.*, *Wiecha* and *Fischer* (as applied to claims 12 and 40), and further in view of *Lucas*. Claims 16-18 and 43-45 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Hodson et al.*, *Wiecha*, *Fischer* and *Lucas* as applied to claims 15 and 42, and further in view of *Wong*. Applicant respectfully traverses the rejections for at least the following reasons.

With regard to independent claim 1, Applicant respectfully submits that *Hodson et al.* and *Wiecha*, whether taken individually or in combination, do not teach or suggest the claimed combination, including at least the recited feature of “upon receipt of a selection of a vendor, the web site sending the computing device that vendor’s list of approved products corresponding to the selected department or category.”

The Office Action concedes at Page 3 that *Hodson et al.* “does not explicitly disclose (d) upon receipt of a selection of a vendor, the web site sending the computing device that vendor’s list of approved products corresponding to the selected department or category.” However, the Office Action relies upon *Wiecha* to teach the features of the claimed step (d) by citing to “Figures 1, 4 and 12; C1 L30-38; C2 L12-L26; C3 L12-L17; C7 58 to C8 L22; C9 40-L46.”

Applicant respectfully disagrees that the cited portions of *Wiecha* teach or suggest the claimed step (d).

Specifically, Applicant respectfully submits that the cited portions of *Wiecha* disclose a purchase order step in which a buyer accesses an electronic catalog that includes approved items from a plurality of vendors and selects some items to complete the purchase as well as a verifying step of verifying that the selected items are being ordered from the correct vendor. However, the cited portions of *Wiecha* are completely silent about selecting a vendor and providing the buyer with a list of approved items of the selected vendor. That is, in contrast to the present application wherein the buyer selects a vendor first and then receives a list of approved products of the selected vendor from the web site, *Wiecha* fails to teach or suggest “upon receipt of a selection of a vendor, the web site sending the computing device that vendor’s list of approved products corresponding to the selected department or category,” as recited by independent claim 1.

For similar reasons as those set forth above, Applicant respectfully submits that that *Hodson et al.* and *Wiecha*, whether taken individually or in combination, do not teach or suggest the claimed combination, including at least the recited feature of “upon receipt of a selection of a vendor, the web site sending the buyer that vendor’s list of approved products corresponding to the selected department or category,” as recited by independent claim 28.

Also, for similar reasons as those set forth above, Applicant respectfully submits that that *Hodson et al.* and *Wiecha*, whether taken individually or in combination, do not teach or suggest the claimed combination, including at least the recited feature of “upon receipt of a selection of a first vendor, the web site sending the buyer the first vendor’s list of approved products

corresponding to the selected department or category,” as recited by newly-amended independent claim 55.

The Office Action does not rely upon *Fischer*, *Lucas* and *Wong* to cure any aspect of the above-noted deficiencies of *Hodson et al.* and *Wiecha*. Also, Applicant respectfully submits that *Fischer*, *Lucas* and *Wong* cannot remedy the deficiencies of *Hodson et al.* and *Wiecha*.

Therefore, for at least the reasons set forth above, Applicant respectfully asserts that the rejections of independent claims 1, 28 and 55 under 35 U.S. C. § 103(a) should be withdrawn because the cited references, whether taken individually or in combination, do not teach or suggest at least the above cited features. In this regard, MPEP § 2143.03 instructs that “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).” Furthermore, Applicant respectfully asserts that the rejections of dependent claims 2-27 and 29-54 under 35 U.S. C. § 103(a) should also be withdrawn at least because of their dependencies upon the respective independent claims 1 and 28 and for the reasons set forth above.

New Claim 56

Applicant has added new claim 56 to further define the invention. Applicant respectfully submits that new claim 56 is allowable over the prior art of record at least based on the reasons set forth above.

With no other rejection pending, Applicant respectfully submits that claims 1-56 are in condition for allowance.

Conclusion

In view of the foregoing, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

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